

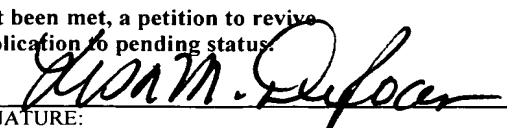
FORM PTO 1390 (REV 10-2003)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTORNEY'S DOCKET NUMBER OGZ-002US
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371			U.S. APPLICATION NO. (If known, see 37 CFR 1.5) <b>107508768</b>
INTERNATIONAL APPLICATION NO. PCT/US2003/008880	INTERNATIONAL FILING DATE 21.March 2003	PRIORITY DATE CLAIMED 22 March 2002	
TITLE OF INVENTION METHODS AND ORGANISMS FOR PRODUCTION OF B6 VITAMERS			
APPLICANT(S) FOR DO/EO/US R. Rogers YOCUM <i>et al.</i>			

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

- ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
- ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing 35 U.S.C. 371.
- ☐ This is an express request to begin national examination procedures (35 U.S.C. 371 (f)). The submission must include items (5), (6), (9) and (21) indicated below.
- ☐ The US has been elected (Article 31).
- ☒ A copy of the International Application as filed (35 U.S.C. 371 (c)(2))
  - ☐ is attached hereto (required only if not communicated by the International Bureau).
  - ☒ has been communicated by the International Bureau.
  - ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
- ☐ An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2)).
  - ☐ is attached hereto.
  - ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
- ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
  - ☐ are attached hereto (required only if not communicated by the International Bureau).
  - ☐ have been communicated by the International Bureau.
  - ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - ☒ have not been made and will not be made.
- ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
- ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
- ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).

**Items 11 to 20 below concern document(s) or information included:**

- ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
- ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
- ☒ A preliminary amendment.
- ☒ An Application Data Sheet under 37 CFR 1.76.
- ☐ A substitute specification.
- ☐ A power of attorney and/or change of address letter.
- ☒ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
- ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
- ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
- ☒ Other items or information: Return Receipt Postcard, Form PTO/SB/08a/b (1 page), Form PCT/IB/308 (1 page), certificate of Express Mailing (1 page), copies of cited references A1-A10 (10 references), Paper copy of Sequence Listing (17 pages); Transmittal Letter Regarding Sequence Listing (1 page); and Published International Application WO 2004/035010 A2 (75 pages).

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) <b>10/508768</b>	INTERNATIONAL APPLICATION NO. <b>PCT/US2003/008880</b>	ATTORNEY'S DOCKET NUMBER <b>OGZ-002US</b>																																																																						
21. <input checked="" type="checkbox"/> The following fees are submitted: <b>BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) – (5)):</b> <input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO ..... \$1080.00 <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO ..... \$920.00 <input checked="" type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... \$770.00 <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... \$730.00 <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) ..... \$100.00  <b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b> Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).		<b>CALCULATIONS PTO USE ONLY</b>      <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 10%;"></td> <td style="width: 70%; text-align: right;">\$ 770.00</td> <td style="width: 20%;"></td> </tr> <tr> <td></td> <td style="text-align: right;">\$ 130.00</td> <td></td> </tr> </table>		\$ 770.00			\$ 130.00																																																																	
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a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed. b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>12-0080</u> in the amount of \$ <u>1,682.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>12-0080</u> . A duplicate copy of this sheet is enclosed. d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. <b>Credit card information should not be included on this form.</b> Provide credit card information and authorization on PTO-2038.		<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 70%;"></td> <td style="width: 30%; text-align: right;">\$</td> </tr> <tr> <td></td> <td style="text-align: right;">Amount to be refunded:</td> </tr> <tr> <td></td> <td style="text-align: right;">charged:</td> </tr> </table>		\$		Amount to be refunded:		charged:																																																																
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SEND ALL CORRESPONDENCE TO: Elizabeth A. Hanley, Esq. LAHIVE & COCKFIELD, LLP 28 State Street Boston, Massachusetts 02109 (617) 227-7400 Dated: <u>September 22, 2004</u> CUSTOMER NUMBER: 00959																																																																								
SIGNATURE: <u></u> NAME: <u>Lisa M. DiRocco</u> REGISTRATION NUMBER: <u>51,619</u>																																																																								

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\* Admitted in TX only  
\*\* Admitted in CT only

10/508768

DT04 Rec'd PCT/PTO 22 SEP 2004

September 22, 2004

Mail Box PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Re: PCT Application Entitled: **Methods and Organisms for Production of B6 Vitamers**  
Applicant: **OmniGene Bioproducts, Inc.**  
Filed: **Herewith**  
Our File: **OGZ-002US**

TRANSMITTAL LETTER FOR DISKETTE OF SEQUENCE LISTING

Sir:

In accordance with the requirements of PCT Rule 13(b) and the Administrative Instructions, the material on the diskette submitted in the enclosed PCT Application is identical in substance to the sequence listing appearing on attached pages 1 through 17. Furthermore, the computer readable form of the sequence listing contained on said diskette is understood to comply with the requirements of PCT Rule 5, PCT Rule 13 and the Administrative Instructions.

Respectfully submitted,



Lisa M. DiRocco  
Attorney for Applicant

LMD/kmg  
Enclosures

Rec'd PTO 22 SEP 2004

13/508768  
DT04 Rec'd PTO 22 SEP 2004

Application No. (if known): Not Yet Assigned

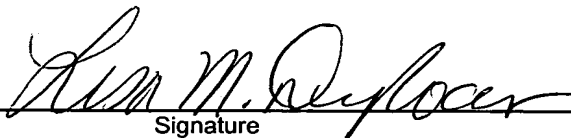
Attorney Docket No.: OGZ-002US

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on 22 September 2004  
Date



Signature

Lisa M. DiRocco

Typed or printed name of person signing Certificate

**Note:** Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Transmittal Letter to the United States Designated-Elected Office (2 pages in duplicate); Form PCT/IB/308 (1 page); Published International Application No. WO 2004/035010 A2 (75 pages); Application Data Sheet (3 pages); Information Disclosure Statement (2 pages); Form PTO/SB/08a/b (1 page); copies of cited references A1-A10 (10 references); Preliminary Amendment (3 pages); Computer readable Sequence Listing (1 diskette); Paper copy of Sequence Listing (17 pages); Transmittal Letter Regarding Sequence Listing (1 page); Certificate of Express Mailing (1 page); Return Receipt Postcard

10/508768

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